

6/10/03



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Luis Eduardo Gutierrez-Sheris

Examiner: Karmis, Steven

Group Art Unit: 3624

Serial No.: 09/635,330

Filed: August 9, 2000

For: MONEY-TRANSFER TECHNIQUES

RECEIVED  
 JUN 05 2003  
 GROUP 3600

Mail Stop: Amendment - Fee  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.131

SIR:

Luis Eduardo Gutierrez-Sheris, declares as follows:

1. I am the sole inventor of the invention in the above-referenced patent application and all the subject matter described and claimed therein. I submit this Declaration in order to establish a date of invention prior to the October 26, 1999 filing date of U.S. Patent 6,488,203, which issued to Stoutenburg et al., a reference cited during the examination of the patent application.

2. Prior to October 26, 1999, I completed my invention as described in the claims set forth in my patent application. Annexed hereto as Exhibit A is a copy of a memorandum, addressed to Mr. Dennis Hennessey and dated June 25, 1999, that sets forth a somewhat detailed summary of the subject matter, including claimed subject

matter, of my patent application. This memorandum evidences that the subject matter of the pending claims in my application were conceived of and reduced to practice prior to the filing date of the Stoutenburg et al. patent.

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Luis Eduardo Gutierrez-Sheris

Dated: Rochelle Park, New Jersey  
May 27, 2003



This document contains confidential  
Service UniTeller, Inc., information.

To: Dennis Hennessey (fax: 445-1254)  
From: Eduardo Gutierrez-Sheris  
Date: June 25, 1999

Our proposal is to create a system by which our customers' beneficiaries would be able to pick up their funds in the U.S. at NYCE ATMs by using UniTeller/Bank of New York co-issued cards. These generic instant issue cards would be activated at UniTeller distributors, which would be contractually obligated to follow security procedures specified by any agreement between NYCE, the Bank of New York and UniTeller.

The benefit of these cards to both NYCE and the Bank of New York is the revenue derived from transaction commissions. A UniTeller money transfer will often take in \$20 (an amount to be split between the selling agent and the transaction processor, UniTeller).

Attached to this fax is a relatively detailed chart/outline describing a proposed functionality for the "ATM payment card". It is meant to address the product under consideration on three different levels:

- it describes the experience of the beneficiary collecting funds
- it describes how our system handles the transaction
- it addresses conceptual concerns including fraud and market motivations

The attached sheet is rather comprehensive. Obviously it cannot describe all aspects in perfect detail, but the specifics included in this outline are there simply to anticipate the concerns that NYCE might have about this project. Our intention is very basic: to allow our customers to get their money from ATM machines. The technical and procedural details are open to discussion.

Also, to place this proposal in context: More than one person in the ATM card processing industry that I have spoken to has told me that what UniTeller is trying to do is very similar to a "Payroll Card." I do not know how these cards work, and I do not know whether NYCE or the Bank of New York offers these cards to their customers. I am under the impression, however, that they are relatively conventional, and that they may even be common.

*UniTeller is a money transmitter, with business sending money to Mexico, the Philippines, Colombia, Ecuador, and other countries. Founded in 1994, it is now licensed to do business in fourteen states, and does business in eleven states that do not require money transmitter licenses. Sales in 1998 exceeded \$14.5 million; profits of \$1.65 million were a five-fold increase over fiscal 1997 (318,706).*

# UniTeller ATM Payment Processing

## Chart

### Customer Interaction

Customer sends money through UniTeller to an individual identified as his "Beneficiary"

Customer contacts his Beneficiary and tells him the Folio number of the transaction

Beneficiary goes to a UniTeller card distributor and asks for a UniTeller ATM payment card.

distributor calls the # number printed on the card in order to activate it

distributor enters the # number via touch tones requested by the automated voice system

distributor enters the # number via touch tones as requested by the automated voice system

Beneficiary is given a card and a PIN number and instructed to go to an ATM to retrieve his funds

Beneficiary retrieves funds at an ATM just as if he were using a bank

### Our Back End

At the origination of a transaction a random Folio number of ten digits is generated; it is unique among all active Folio numbers

The Folio number is the sole means of identification used by the Beneficiary to collect his funds. We inform our customers that it is their responsibility to keep their Folio numbers secure and confidential.

A record of cards that have been distributed, and to which businesses those cards have been distributed, is kept in our database

Incoming #'s are recorded using caller ID; operators answer the calls from unknown #'s, and the computer answers known #'s

A log is kept of all card numbers that have been entered; if a card has suffered four unsuccessful activations, it will be disqualified

The Folio number is confirmed by the system as being a valid Folio number. If the Folio number is valid, the card will be activated

A pin number is generated according to the conventions of whichever network through which the signal is being transmitted

As a processor, UniTeller would receive authorization requests directly from the network; at this point, our database would authorize

This document contains confidential information.  
Servicio UniTeller, Inc., information.

### Concept Description

The Folio number is the transaction identification number used by the Beneficiary to collect his funds. Folio numbers are only active until the funds have been paid to the Beneficiary. This is to maximize the total number of unique identifiers available.

As a money transmitter, UniTeller favors as fast a turn over of funds as possible. Usually, a Beneficiary will receive his funds within half an hour. A Beneficiary can wait no longer than fifteen days to retrieve his funds; otherwise, we will return the money.

The inventory list kept by UniTeller will allow for a degree of fraud prevention. Usage patterns will point to particular agents supporting an inordinate number of fraud attempts; also this system would allow us to detect stolen/intercepted shipments of cards.

The telephony system will be smart enough to channel calls to the appropriate receivers. If the call is coming from a number known to belong to a distributor, then the system will trust the automated answer to handle it; however, unknown numbers must be handled by humans.

An activation attempt is unsuccessful if the Folio # dialed is not valid (does not exist). After two unsuccessful attempts, a report will appear on a screen being observed by fraud-control personnel. Of course, some leeway must be provided those who simply misdial.

An active card will represent a funded record in our database: the Beneficiary information collected at the point of sale will be used to create an active "account," the account-holder being the beneficiary, and the funds available being the transaction amount.

When the temporary "account" record is created, a pin number will be produced so as to allow the Beneficiary to retrieve his funds from an ATM. How this number will be generated is open to debate; potentially it would be generated randomly.

The alphanumeric digits encoded on each card's magnetic strip differ from the numeric digits stamped on the cardface. This is a measure to prevent the private encoding of cards: while the cardface numbers are serialized, the alphanumerics will be random.